

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Division of Housing Policy Development

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December 28, 2000

Mr. Eugene Zeller, Director
City of Long Beach
Department of Planning and Building
333 West Ocean Boulevard, 5th Floor
Long Beach, California 90802

Dear Mr. Zeller:

RE: Review of the City of Long Beach's Draft Housing Element

Thank you for submitting Long Beach's draft housing element, received for our review on November 17, 2000. As you know, the Department of Housing and Community Development (HCD) is required to review draft housing elements and report our findings to the locality pursuant to Government Code Section 65585(b).

A telephone conversation with Mr. Mark Hoffman, the City's consultant, on December 27, 2000, assisted our review. This letter and accompanying Appendix summarize the conversation with Mr. Hoffman.

Pursuant to Government Code Section 65585(c), this Department has also considered comments about the City's housing element from the Legal Aid Foundation of Long Beach.

While the current draft element is well written and includes a useful identification of housing needs in Long Beach, portions of the element require additional information and analysis to comply with State housing element law (Article 10.6 of the Government Code). Among the necessary changes, the element should be revised to demonstrate that the City has or will have sufficient land, with available infrastructure and absent constraints to allow development at appropriate densities commensurate with the Long Beach's share of the regional housing need for all income groups. We look forward to reviewing the revisions in the near future.

For your information, we have enclosed a brief description of new and existing housing and community development programs administered by this Department along with funding levels for the current fiscal year. We are pleased to report a historic increase in housing funds available through HCD. A number of the programs such as the Jobs-Housing Balance Improvement Program, the CalHome Program and the Downtown Rebound Program are new and under current development. Please consult our homepage at www.hcd.ca.gov for program information updates.

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We hope our comments are helpful to the City. We appreciate the courtesy and assistance of Mr. Hoffman during the course of our review. We would be willing to meet in Long Beach or otherwise provide additional assistance to aid the City in revising its housing element. Please feel free to contact Robert Maus, of our staff, at (916) 323-3180.

In accordance with their requests pursuant to the Public Records Act, we are forwarding a copy of this letter to the individuals listed below.

Sincerely,



Cathy E. Creswell
Acting Deputy Director

Enclosures

cc: Mark Hoffman, Cotton Bridges and Associates
Catherine Ysrael, Supervising Deputy Attorney General, AG's Office
Terry Roberts, Governor's Office of Planning and Research
Juan Acosta, California Building Industry Association
Marcia Salkin, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Weiner, California Coalition for Rural Housing
Susan DeSantis, The Planning Center
Dara Schur, Western Center on Law and Poverty
Michael G. Colantuono, Attorney at Law
Carlyle W. Hall, Hall & Phillips Law Firm
Jonathan Lehrer-Graiwer, Attorney at Law
Fair Housing Council of the San Fernando Valley
Mark Johnson, Legal Aid Foundation of Los Angeles
Ana Marie Whitaker, California State University at Pomona
Dennis Rockway, Legal Aid Foundation of Long Beach
David Booher, California Housing Council
Stephanie Knapik, Westside Fair Housing Council
Karen Warner, Cotton Bridges and Associates
Joe Carreras, South California Association of Governments
Mona Tawatao, San Fernando Valley Neighborhood Legal Services
Won Chang, Attorney at Law, Davis and Company

APPENDIX

City of Long Beach

The following changes would bring Long Beach's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change we cite the supporting section of the Government Code. The particular program examples or data sources listed are suggestions for your use.

A. Review and Revision

1. The previous element should be reviewed to *evaluate the appropriateness of the element's goals, objectives, policies, and provide a description of how the goals, objectives, policies, and programs of the updated element incorporate what has been learned from the results of the prior element (Section 65588(a)(1)).*

If possible, the element should be revised to indicate the number of rehabilitated units and units which have been conserved, **by income group** over the prior planning period. The element should also contain a description of the methodology used to describe the affordability level of units built during the past planning period. For example, how did the City determine that 1,752 new apartments were affordable to lower-income households and 733 condominiums were affordable to moderate income households?

B. Housing Needs, Resources and Constraints

1. The element should include *an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public services available to these sites (Section 65583(a)(3)).* Expand the land inventory analysis to indicate and clarify:
 - Whether there is sufficient total infrastructure capacity (water, sewer, streets, etc.) to accommodate the City's new construction need before the end of the 2000-2005 planning period and if any specific parcel(s) included in the land inventory (vacant or underutilized) is constrained by infrastructure availability.
 - The density ranges for Long Beach's categories permitting residential development.
 - Whether units have been or are likely to be developed in Long Beach at the densities permitted under the general plan. While the element indicates (Charts 38 and 39) that residential development could occur at various maximum densities (depending upon the general plan and zoning designations), it is unclear whether typical development approaches the maximum permitted density.

- The City could demonstrate the viability of the dwelling unit projections in Chart 45 by describing the basis for the estimate (for example, past development applications, historic development patterns in these districts, current City policies or incentives, etc.).
 - Given the potential that higher parking standards in the Coastal Zone may impact housing affordability and development potential (see item B-2, below), the element should indicate which sites in Charts 45 and 46 are in the Coastal Zone.
2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, and development of housing for all income levels, including land use controls. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 (Section 65583(a)(4)).*

The element should include a description and analyses of the City's parking standards for sites within the Coastal Zone as potential constraints to housing development. Identified constraints should be removed or programs to mitigate the constraints should be developed.

3. *The element should contain an analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use (Section 65583(a)(8)C and D). The element shall identify public and private nonprofit corporations known to the local government which have legal and managerial capacity to acquire and manage these housing developments. The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amount of funds under each available program which have not been legally obligated for other purposes and which could be available for use in preserving assisted housing developments.*

The element should be revised to include a listing of the public and private nonprofit corporations known to have the legal and managerial capability to acquire and manage the at-risk developments. For your information we have included a listing of entities interested in participating in California's first right of refusal program for developments within Los Angeles County. The revised element should also include an itemization of funding available to preserve the assisted at-risk developments.

C. Housing Programs

1. The housing element should include a *program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element (Section 65583 (c)).*

Each program action should contain a specific date for implementation during the planning period to demonstrate the City's commitment to implementation. While it may be appropriate for the Fair Housing Program (Program #35) to be implemented over the course of the planning period (2000-2005) other actions should have specific implementation actions with specific timelines early enough in the planning period to implement the desired change. The following programs should be revised to include discrete dates for program implementation:

- Program #8: The element should state when the City anticipates completing the Grisham neighborhood revitalization project and when other distressed neighborhoods will be identified as candidates for revitalization.
 - Program #20: The element should indicate the expected completion date for implementing homeownership zone plans for 381 homes in the Wrigley and American Marketplace neighborhoods.
 - Program #23: The City should describe the expected completion date for the Villages at Cabrillo transitional housing.
 - Program #30: The City should describe the expected completion date for the e-government strategic plan to facilitate and guide service delivery and community communications.
2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in comment B.1 above, further analysis of the feasibility of sites described in Long Beach's land inventory is needed. The adequacy of sites cannot be established prior to a more detailed analysis.

The element indicates that Long Beach has an unmet need for sheltering homeless persons and families. It is our understanding that the unmet need for such facilities (Homeless Gap Analysis, Chart 17) may be understated since the Cold/Wet weather Program has been relocated and no longer exists in Long Beach. The element indicates

that emergency shelters are a conditional use in the R-4 zone. The element should be revised to indicate how the City's permitting requirements specifically encourage and facilitate development of homeless shelters and whether this zone is sufficient to address the City's entire unmet need.

3. The housing element shall contain programs, which *"assist in the development of adequate housing to meet the needs of low-and moderate-income households"* (Section 65583(c)(2)).

We note that Long Beach has developed a tiered density bonus program with density increases above the State required minimums for the construction of housing affordable to senior citizens and disabled persons. Given that the element (page II-3) indicates that the senior population in Long Beach has been in decline for a number of years and is expected to continue to decline in the future, we suggest that the City consider expanding its tiered density bonus offerings so that the construction of housing for non-senior lower income households will also be eligible for increased density bonuses.

4. The housing element shall contain programs, which *"address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing"* (Section 65583(c)(3)).

As noted above (A.2), Long Beach's element requires a more thorough description and analysis of the City's parking standards within the Coastal Zone as a potential governmental constraint to housing development. Depending upon the results of that analysis, the City may need to add programs to remove or mitigate any identified constraints.

5. *Describe the amount and uses of moneys in the redevelopment agency's Low- and Moderate Income Housing Fund (L&M Fund (Section 65583c)).*

The element contains an estimate of the amount of L&M funds available during the 2000-2005 planning period; it should also describe the anticipated uses of the L&M Fund.

D. Public Participation

Describe how the City made a diligent effort to achieve the public participation of all economic segments of the community in the development of the element (Section 65583(c)).

The housing element should specifically describe efforts by Long Beach to circulate the housing element among organizations and individuals that represent lower-income households and to involve such groups and persons in the development of the element.

E. Housing Within the Coastal Zone

The housing element should contain a quantification of low- and moderate-income units constructed, converted and demolished in the Coastal Zone since January 1, 1982 (Government Code Section 65588 (d)(1-3)), and also quantify the low- and moderate-income units that have been required to replace low- and moderate-income units that were authorized to be converted or demolished in the Coastal Zone and to identify the location of the replacement units (Government Code Section 65588(d)(4)).

The draft element should contain the required information about housing units occupied by low- and moderate-income units in the Coastal Zone since 1982.